

REMARKS

This case has been carefully reviewed and analyzed in view of the Office Action dated 24 August 2004. Responsive to the Office Action, a Terminal Disclaimer to Obviate a Double Patenting Rejection Over a "Prior" Patent is submitted herewith to disclaim any portion of the term for a Patent which may issue in this case that would otherwise extend beyond the term of prior U.S. Patent 6,489,555.

In the Office Action, the Examiner rejected Claims 1-3, 5-8, and 10 under the judicially created doctrine of obviousness-type double patenting, as being unpatentable over Claim 1 of Applicant's prior U.S. Patent 6,489,555 in view of the Chen reference. As for Claims 4 and 9, the Examiner merely objected to those Claims for being dependent upon a rejected base claim, but indicated that they would be allowable if rewritten in independent form to include all of the limitations of the base and any intervening claims.

It is respectfully submitted that the Terminal Disclaimer and fee accompanying this Response now obviates the judicially created doctrine of obviousness-type double patenting rejection. The fee is submitted in the form of a check in the amount of \$55.00 made payable to the Director of Patents and Trademarks. Should additional fees be necessary for this filing, the Director of Patents and Trademarks is hereby authorized to charge such additional fees to Deposit Account #18-2011.

MR2349-952

Serial Number: 10/627,708

Reply to Office Action dated 24 August 2004

It is now believed that the subject Patent Application has been placed fully in condition for allowance, and such action is respectfully requested.

Respectfully submitted,
For: ROSENBERG, KLEIN & LEE



Jun Y. Lee
Registration #40,262

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Suite 101
3458 Ellicott Center Drive
Ellicott City, MD 21043
(410) 465-6678